

EXHIBIT 13

Volume 1
Andrew Acosta

Kirkman vs.
State of California

1 IN THE UNITED STATES DISTRICT COURT
2 FOR THE CENTRAL DISTRICT OF CALIFORNIA
3
4 SANDRA KIRKMAN AND CARLOS) 2:23-cv-07532-DMG-SSC
5 ALANIZ, INDIVIDUALLY AND AS)
6 SUCCESSORS-IN-INTEREST TO)
7 JOHN ALANIZ, DECEASED,)
8 Plaintiffs,)
9 v.)
10 STATE OF CALIFORNIA; RAMON)
11 SILVA; AND DOES 1-10,)
12 INCLUSIVE,)
13 Defendants.)
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REMOTE DEPOSITION OF ANDREW ACOSTA

VOLUME 1

North Hollywood, California

Thursday, November 14, 2024

Reported by:
DENISE MARLOW
RPR, CSR No. 11631

Job No. 10153285

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1 A. No.

2 Q. Do you remember saying in your September 2022
3 interview that you did not think it was necessary to
4 shoot the individual on the date of the incident?

5 A. Yes.

6 Q. Why did you -- why did you think that at that
7 time?

8 A. Well, I think I remember telling the
9 investigators for the second interview I had that I
10 believe they should -- they had -- they should have used
11 a less-than-lethal before using their actual gun.

12 Q. Do you recall saying in that September 2022
13 interview that you were shocked that the officers shot
14 the individual?

15 A. I don't remember.

16 Q. Okay. Those are all the questions I have.

17 MS. REYES: I just have a couple follow-up
18 questions.

19

20 FURTHER EXAMINATION

21 BY MS. REYES:

22 Q. Mr. Acosta, do you recall telling DOJ
23 investigators that you saw the individual pull a black
24 object from his pocket when he was running at the
25 officers?

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1 A. Yes.

2 Q. Do you recall seeing a black object?

3 A. Yes.

4 Q. What did the black object look like, if you
5 recall?

6 A. Like a rectangular -- just rectangular.

7 Q. How big was it?

8 A. Maybe like hand, like a hand size.

9 Q. Were you able to tell what it was?

10 A. No.

11 Q. And did you take any videos while you were with
12 the individual walking on the shoulder of the freeway?

13 A. No.

14 Q. Did you take any videos after the shooting
15 occurred?

16 A. Yes.

17 MS. REYES: That's all I have.

18 MS. LEAP: I don't have any further questions.

19 MS. REYES: We appreciate your time. Thank you
20 so much.

21 The court reporter is going to -- are you going
22 to e-mail, or are you going to mail?

23 THE COURT REPORTER: I can do either. I can
24 have them do both as well.

25 MS. REYES: Okay. So the court reporter is

REPORTER'S CERTIFICATION

I, the undersigned, a certified Shorthand Reporter of the State of California, do hereby certify:

That the foregoing proceedings were taken before me at the time and place herein set forth; that the witness in the foregoing proceedings, prior to testifying, was administered an oath; that a record of the proceedings was made by me using machine shorthand which was thereafter transcribed under my direction; that the foregoing transcript is a true record of the testimony given.

Further, that if the foregoing pertains to the original transcript of a deposition in a Federal Case, before completion of the proceedings, review of the transcript [X] was [] was not requested.

IN WITNESS WHEREOF, I have hereunto subscribed my name this 18th day of November, 2024.

Denise Marlow

Denise Marlow, CSR No. 11631